

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sharon A. Lira

(Type or print name of person mailing paper)

Date:

July 18, 2005

(Signature of person mailing paper)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cheng et al

Serial No.: 10/511,998

Group No.:

Unassigned

Filed: October 14, 2004

Examiner:

Unassigned

For: CELLULAR ACCUMULATION OF  
PHOSPHONATE ANALOGS OF  
HIV PROTEASE INHIBITOR  
COMPOUNDS (AS REVISED)

Docket No:

257.P2US

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## COMPLETION OF FILING REQUIREMENTS

I. ☒ This replies to the Notice to File Missing Parts of Nonprovisional Application mailed March 18, 2005

☒ A copy of the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b) is enclosed.

07/29/2005 MKAYPAGH 00000050 10511998

01 FC:1252

450.00 DA

## DECLARATION OR OATH

II. ☒ No original declaration or oath was filed and enclosed is the original declaration or oath for this application.

OR

☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

Attached is a

(c) ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.

(d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

**AMENDMENT CANCELLING CLAIMS**

III. ☐ Cancel claims \_\_\_\_\_ inclusive.

**TRANSMITTAL OF ENGLISH TRANSLATION  
OF NON-ENGLISH LANGUAGE PAPERS**

IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

**SMALL ENTITY STATUS**

V. ☐ A verified statement that this filing is by a small entity  
☐ is attached  
☐ a separate refund request accompanies this paper  
☐ was filed on \_\_\_\_\_ (original)

**COMPLETION FEES****VI. 1. Filing fee**

☐ original patent application  
(37 CFR 1.16 (a)----\$770.00; small entity----\$385.00) \$ \_\_\_\_\_  
☐ design application  
(37 CFR 1.16 (f)----\$340.00; small entity----\$170.00) \$ \_\_\_\_\_

**2. fees for claims**

☐ each independent claim in excess of 3  
(37 CFR 1.16 (b)----\$86.00; small entity----\$43.00) \$ \_\_\_\_\_  
☐ each claim in excess of 20  
(37 CFR 1.16 (c)----\$18.00; small entity----\$9.00) \$ \_\_\_\_\_  
☐ multiple dependent claim(s)  
(37 CFR 1.16 (d)----\$290.00; small entity----\$145.00) \$ \_\_\_\_\_

**3. surcharge fees**

☐ late payment of filing fee *and/or*  
☒ late filing of original declaration or oath  
(37 CFR 1.16 (e)----\$130.00; small entity----\$65.00) \$ 130.00

4. ☐ petition and fee for filing by other than all the inventors or a person not the inventor  
(37 CFR 1.17 (h) and 1.47----\$130.00) \$ \_\_\_\_\_

5. ☐ fee for processing an application filed with a specification in a non-English language  
(37 CFR 1.17 (k) and 1.52 (d)----\$130.00) \$ \_\_\_\_\_

6. ☐ fee for processing and retention of application  
(37 CFR 1.21 (l) and 1.53 (d)----\$300.00) \$ \_\_\_\_\_

Total completion fees \$ 130.00

**EXTENSION OF TIME****VII.**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 (a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17 (a)-(d)), for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$120.00	\$60.00
<input checked="" type="checkbox"/>	two months	\$450.00	\$225.00
<input type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00
		Fee \$	450.00

If an additional extension of time is required please consider this a petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 450.00

O R

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

#### TOTAL FEE DUE

VIII. The total fee due is

Completion fee(s) \$ 130.00

Extension fee (if any) \$ 450.00

TOTAL FEE DUE \$ 580.00

#### PAYMENT OF FEES

IX.

- ☐ Check in the amount of \$ \_\_\_\_\_  
☒ Charge Account No. 07-1250 in the amount of \$ 580.00  
A duplicate of this transmittal is attached.

#### AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

- ☒ The Commissioner is hereby authorized by this document to charge any additional fees which may be required by this paper and during the entire pendency of this application to Account No. 07-1250, except the issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311 (b).

Reg. No. 34,949

Tel. No.: (650) 522-5823

CUSTOMER NO: 25000

07/51/998

07/51/998

07/51/998

SIGNATURE OF ATTORNEY

James J. Wong

Type or print name of attorney

Gilead Sciences, Inc.

333 Lakeside Drive

P.O. Address

Foster City, CA 94404

RECEIVED MAR 28 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,998	Murty N Arimilli	257.P2US

25000  
 GILEAD SCIENCES INC  
 333 LAKESIDE DR  
 FOSTER CITY, CA 94404



INTERNATIONAL APPLICATION NO.	
PCT/US03/12901	
I.A. FILING DATE	PRIORITY DATE
04/25/2003	04/26/2002

CONFIRMATION NO. 7104  
 371 FORMALITIES LETTER



Date Mailed: 03/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/14/2004
- Copy of the International Search Report filed on 10/14/2004
- Copy of IPE Report filed on 10/14/2004
- Oath or Declaration filed on 10/14/2004
- Request for Immediate Examination filed on 10/14/2004
- U.S. Basic National Fees filed on 10/14/2004
- Priority Documents filed on 10/14/2004
- Power of Attorney filed on 10/14/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,998	PCT/US03/12901	257.P2US

FORM PCT/DO/EO/905 (371 Formalities Notice)